

McCulloch, Moore, Motley, Ripetoe, Stephens, Storey, Terrell, Thompson—21.

NAYS—Senators Brady, Burton, Ford, Smith—4.

NOT VOTING—Senators Douglass, Guy, Henry F. M., McLeary, Piner, Wortham—6.

The bill was then read a third time, and passed by the following vote :

YEAS—Senators Blassingame, Brady, Brown, Burton, Carroll, Crain, Douglass, Edwards, Francis, Ford, Grace, Henry J. R., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Smith, Stephens, Storey, Terrell, Thompson—25.

NAYS—Senators Ball, Ripetoe—2.

NOT VOTING—Senators Guy, Henry F. M., Piner, Wortham—4.

On motion of Senator Stephens, the Senate adjourned until to-morrow morning at 9 o'clock.

### SIXTY-THIRD DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, June 30, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Brown presented the petition of the members of the bar of Falls county, "requesting the Legislature to authorize the holding of extra terms of the District Court of their county, to begin on the second Mondays of January in every year, stating that though the District Court has held nine weeks in the year, and the late Criminal Court held twelve weeks in the year, yet the business of the courts have so accumulated, that the dockets, both civil and criminal, are very much behind, and they don't think the County Court will give the needed relief."

Referred to Judiciary Committee No. 2.

Senator Francis introduced a bill, entitled, "An Act to confer civil jurisdiction upon the Mayor, or acting Mayor, of Palestine."

Read by caption, and referred to the Committee on State Affairs.

Senator Edwards introduced a bill, to be entitled, "An Act appropriating five thousand dollars to improve the capitol grounds.

Read by caption, and referred to the Committee on Finance.

Senator Burton introduced a bill, to be entitled, "An Act to incorporate the Union, Protection and Friendship Society, of Galveston."

Read by caption, and referred to Judiciary Committee No. 1.

Senator Moore offered the following resolution :

*Resolved, by the Senate,* That on and after Monday next, that in all discussions which may take place in this body, upon all questions which shall come up for their consideration, that each member shall be confined to ten minutes' time for making such discussion, unless leave is granted by a majority of this Senate.

On motion of Senator Moore, the rules were suspended and the resolution taken up, read and adopted.

On motion of Senator Burton, the rules were suspended and Senate Joint Resolution No. 258, "Authorizing the Superintendent of Public Buildings and Grounds to purchase a flag for the Capitol," was taken up, read second time, the amendments of committee adopted and ordered engrossed.

Senator Burton moved a further suspension of the rules to place the joint resolution on its third reading.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Edwards, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Brady, Carroll, Douglass, Francis, Ford, Grace. Resolution read third time and passed, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Carroll, Crain, Edwards, Francis, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Wortham—26.

NAYS—None.

NOT VOTING—Senators Brady, Douglass, Ford, Grace, Thompson—5. Senator McLeary offered the following resolution:

*Resolved*, That a committee of three Senators on the part of the Senate be appointed to act with a like committee on the part of the House, as a Committee of Arrangements to prepare for the reception of the portrait of General Tom Green on the fourth of July, proximo.

Adopted.

Senators McLeary, Edwards and Brown were appointed on said committee.

A message was received from His Excellency, the Governor, returning therewith Senate Bill No. 140, "An Act to provide for filling vacancies in the offices of District Clerk and Constable," containing his objections thereto.

The message was taken up and read, and, on motion of Senator McLeary, the message and accompanying bill were referred to Judiciary Committee No. 1.

EXECUTIVE OFFICE, STATE OF TEXAS, }  
AUSTIN, June 30, 1876. }

*Hon. R. B. Hubbard, President of the Senate:*

SIR—I have the honor to return herewith, without my approval, Senate Bill No. 140, being "An Act to provide for the filling of vacancies in the offices of District Clerk and Constable," and respectfully ask its reconsideration, for the following reasons:

I see no objection to the first clause of the bill, which authorizes District Judges to fill vacancies in the office of District Clerks by appointment, to hold until the next general election.

The second clause, which provides that in counties of less population than eight thousand District Judges shall have power to appoint an officer, who shall discharge the duties of both the District and County Clerk's offices, with a proviso that when persons have been elected to said offices they shall not be affected by this bill, and that it shall operate in such cases only when vacancies occur in them, is believed to be seriously objectionable, on constitutional and other grounds.

The proviso to Section 20, Article 5, of the Constitution, provides "that in counties having a population of less than eight thousand persons, there may be an election of a single Clerk, who shall perform the duties of District and County Clerks." The Constitution, however,

nowhere prescribes any means, or lays down any rule, or confers upon any officer the authority for ascertaining when counties have less than eight thousand population. Consequently, when issuing his proclamation for the late election, the Executive could not enforce that requirement of the Constitution, and did not order elections under it; and in his regular message to the Legislature, called attention to the necessity for legislation which should provide a mode for determining what counties, by reason of having less than eight thousand population, are affected under this clause. In some counties in the State, without any authority of law, elections were held for an officer to discharge the duties of both County and District Clerk; and in some others the same person was voted for and elected as County Clerk, and as District Clerk. In such cases it is believed that the election, so far as the attempt to consolidate the two offices in one is concerned, are null; nor is it believed that the Legislature can give them validity. When the same person has been elected to the two offices of County and District Clerk, or to discharge the duties of both, he should be required to choose one and surrender the other. If, under such requirement, the office of District Clerk should become vacant, under Section 9, Article 5, of the Constitution, the District Judge would fill the vacancy by appointment until the next general election. If the office of County Clerk should become vacant, under Section 20, of the same Article, the Commissioners' Court would fill the vacancy by appointment until the next general election. A general law, carrying out the proviso to Section 20 referred to, giving a name and designation to the officer to discharge the duties of the two offices of County and District Clerk, in counties having less than eight thousand population, prescribing a rule for determining what counties it is to operate in, etc., is deemed necessary, and it is suggested that the election, under it, would be better deferred until the next general election.

The present bill provides for appointment, and makes no provision for the future election of an officer to perform the duties of both County and District Clerk, when the Constitution requires that officer elected. Its legal effect would be to validate elections held under the proviso to Section 20, which, in my judgment, cannot be done, but should be provided for in advance by a general law for enforcing the proviso throughout the State.

It again, in counties of less than eight thousand population, when both District and County Clerks have been properly and lawfully elected, upon the happening of a vacancy in either one of the offices, authorizes the District Judge, in effect, to oust the incumbent of the other, although duly elected by the people, and appoint one person to discharge the duties of both.

The caption of the bill, referring only to District Clerks and Constables, is not believed to be sufficiently comprehensive to embrace all the matters disposed of in the bill. Very respectfully,

RICHARD COKE.

On motion of Senator Edwards, the rules were suspended, and Senate Joint Resolution No. 169, "Instructing our Senators and requesting our Representatives in Congress to ask for protection for the frontier," etc., was taken up with substitute of committee, and read second time.

On motion of Senator Edwards, the substitute recommended by the committee was adopted.

Senator Edwards offered the following amendment:

"The fact that Congress will adjourn at an early day, and the necessity for prompt action, requires that this joint resolution take effect, and it is hereby declared that it do take effect from and after its passage."

Adopted.

Joint resolution ordered engrossed.

On motion of Senator Edwards, the rules were further suspended to place the resolution on its third reading by the following vote:

YEAS—Senators Ball, Brown, Burton, Carroll, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—29.

NAYS—None.

NOT VOTING—Senators Blassingame, Brady—2.

Joint resolution read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Carroll, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—29.

NAYS—None.

NOT VOTING—Senators Brady, McLeary—2.

On motion of Senator Ford, the rules were suspended, and Senate Joint Resolution No. 250, "Instructing our Senators and requesting our Representatives in Congress to secure, if possible, the permanent establishment of a line of steamers, to carry the United States mail, etc.," was taken up, read second time, and report of committee, with amendments, adopted.

Senator Ford offered the following amendment:

"In view of the fact that Congress will adjourn at an early day, and the necessity for prompt action, creates an emergency, that this joint resolution pass at once; and it is, therefore, enacted that it be in force from and after its passage."

Adopted, and the resolution ordered engrossed.

Senator Ford moved a further suspension of the rules, to place the joint resolution on its third reading.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Carroll, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

NOT VOTING—Senators Brady, Douglass, McLeary, Piner, Stephens—5.

Resolution read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Burton, Carroll, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—29.

NAYS—None.

NOT VOTING—Senators Douglass, McLeary—2.



Resolution of Senator Burton, offered yesterday, with regard to order of business, was taken up and read.

Senator Terrell offered the following amendment:

"*Provided*, That all bills to meet special requisitions of the Constitution, shall have preference over all others."

Adopted.

Senator Crain moved that the resolution be laid on the table.

Carried.

On motion of Senator Francis, the rules were suspended, and Senate Bill No. 224, "An Act to punish drunkenness," was taken up, with report of committee, recommending amendments, and read second time.

The report of the committee was adopted.

Senator Francis moved the previous question.

Seconded, and previous question ordered.

The bill ordered engrossed by the following vote:

YEAS—Senators Blassingame, Brady, Douglass, Edwards, Francis, Guy, Henry F. M., Hobby, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Thompson, Wortham—19.

NAYS—Senators Ball, Brown, Burton, Crain, Henry J. R., Ledbetter, McLeary, Storey, Terrell—9.

NOT VOTING—Senators, Carroll, Ford, Grace—3.

House Bill No. 236, "An Act to authorize the United States bonds now in the Treasury to the credit of the permanent school fund, to be disposed of, and the proceeds thereof invested in the same manner as the funds now in the Treasury to the credit of said fund, or that may hereafter be received from all sources," was taken up and read third time.

Senator McLeary in the chair.

Senator Carroll moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators Ball, Edwards, Ford, Grace, Thompson.

President in the chair.

Senator Stephens moved a suspension of the call.

Senate refused to suspend.

Senate full and call suspended.

The pending House Bill No. 226, was then passed by the following vote:

YEAS—Senators Ball, Blassingame Brown, Carroll, Crain, Douglass, Edwards, Ford, Guy, Henry J. R., Hobby, Ledbetter, McLeary, McCulloch, Moore, Motley, Stephens, Storey, Terrell, Thompson, Wortham—21.

NAYS—Senators Brady, Burton, Francis, Grace, Henry F. M., Martin, McCormick, Piner, Ripetoe, Smith—10.

A message was received from His Excellency, the Governor.

Senator Hobby in the chair.

Senate Bill No. 217, "An Act to encourage stock raising and for the protection of stock raisers," being a special order, was taken up and read first time.

Senator Blassingame offered the following amendment:

"*Provided*, The counties of Grayson and Cooke are exempted from this act."

Senator Blassingame moved that the bill and pending amendments be postponed until Monday afternoon at 4 o'clock.

Carried.

Senate Bill No. 275, "An Act to encourage the construction of railroads in Texas by donation of lands," was taken up.

Senator Grace moved that the bill be postponed till Wednesday next, at 11 o'clock A. M.

Senator Crain moved a call of the Senate on the question.

Call sustained and roll called.

ABSENT—Senators Edwards, Ford, McCormick, Motley, Piner, Smith, Stephens, Thompson.

Pending the call, the bill was laid on the table.

Senator Wortham, from the Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills have carefully read, examined and compared Senatesubstitute for Senate Bills Nos. 80 and 82, "An Act to create the Department of Insurance, Statistics, and History," and find the same correctly engrossed.

WORTHAM, for Committee.

A message was received from the House, announcing that that body had adopted Senate resolution appointing a Joint Committee of Arrangements to prepare for the reception of the portrait of General Tom Green, on the 4th of July proximo ; and has appointed Representatives Carrington, Thompson and Adams, a committee on the part of the House ; also, that the House has concurred in the Senate amendments to House Bill No. 235, "An Act to provide for the payment of the bonds of the State of Texas that will become due and that are retireable in the years 1876 and 1877 ; and to make adequate provision for the floating indebtedness, and to supply deficiencies in the revenue by the sale of the bonds of the State, and to make an appropriation to carry into effect the provisions of the same."

Senate Bill No. 223, "An Act further regulating stock raising," was taken up.

Senator Crain moved the bill be read and acted upon by sections.

Carried.

The Senate being full, the call was suspended.

The pending question was Senator Grace's motion to postpone Senate Bill No. 275 until Wednesday next at 11 o'clock A. M.

Senator Douglass moved to amend Senator Grace's motion by substituting "Monday" instead of "Wednesday."

Accepted by Senator Grace.

The motion was then carried, and bill postponed until Monday at 11 o'clock A. M.

The President in the chair.

The President, after reading its caption, signed House Bill No. 236, "An Act to authorize the United States bonds, now in the Treasury to the credit of the permanent school fund, to be disposed of, and the proceeds thereof invested in State bonds ; likewise, to invest, in the same manner, the funds now in the Treasury to the credit of said fund, and that may hereafter be received from all sources."

The consideration of Senate Bill No. 223 was resumed.

Senator Crain offered the following amendment to Section 1 :

Strike out all between the word, "cattle," in line 3, and the word, "are," in line 7, and insert in lieu thereof the following : "Not following their mothers, and all cattle upon which the brands have been so

defaced that they cannot be recognized and identified, and all animals coming within the definition of estrays." Also, strike out the words, "or horses," in line 10, and insert the following, "or cattle ranging on lands that are enclosed."

Adopted.

Senator Edwards offered the following amendment to Section 1:

After the word, "cattle," in line 10, insert the words, "at their increase."

Adopted.

Senator Carroll offered the following amendment to the amendment offered by Senator Crain:

Strike out the following words: "Or cattle ranging on lands that are enclosed."

Adopted.

Senator Ledbetter moved to strike out Section 1.

Lost.

Senator Ball offered the following amendment to Section 1:

In Section 1, line 7, insert after the word, "identified," the words, "and all horses and mules with blotched or blurred brands."

Lost.

Senator Brown offered the following amendment:

Amend Section 2 by inserting after the word, "pay," in line 17, the words, "any part of."

Adopted.

Senator Martin offered the following amendment:

Add to Section 2: "*Provided, further*, that in no case shall such commissions be more than one-fourth of the proceeds of such sale."

Adopted.

Senator Martin also offered the following amendment:

Add to Section 2: "*And provided further*, That no such agent or agents, or Sheriff, shall directly or indirectly purchase any such animals."

Adopted.

Senator Brown offered the following amendment:

Amend Section 2 by striking out the words, "one or more agents," in line 2, and insert in lieu thereof, "as agents, one or more."

Adopted.

Senator Crain offered the following amendment:

Amend Section 2, line 11, by striking out the word, "Monday," and insert "Tuesday."

Adopted.

Senator Guy offered the following amendment as a substitute for Section 3.

"SEC. 3. Any person or persons claiming stock taken possession of under the provisions of Section 2, of this act, shall have the right to prove and take possession of the same in the same manner as in other cases of proof of title."

Senator Edwards offered the following amendment:

In Section 3, line 5, strike out all after the word, "claimant;" also in Section 3, line 1, strike out the words, "that on the day of sale."

Senator Storey offered the following as a substitute for Senator Edwards' amendment:

Strike out the word, "officers," and insert the word, "Sheriff," in Section 3, line 6.

Lost.

The amendment of Senator Edwards was then lost.

Senator Storey offered the following amendment, to come in at the end of the substitute offered by Senator Guy:

"To property levied on under execution."

Accepted by Senator Guy.

The substitute offered by Senator Guy, as amended by Senator Storey, was then adopted.

Senator Piner offered the following amendment to Section 4:

In line 6, strike out, "is," and insert, "are;" and insert after "animal," the word, "or animals." In line 7, after the word, "shall," insert, "if the value of such animal or animals is twenty dollars or over." In line 10, after the word, "jury," insert, "and if the value of the animal, or animals, be less than twenty dollars, he shall be punished as for theft of property of less value than 'twenty dollars.'"

Adopted.

President *pro tem.* in the chair.

Senator Piner offered the following amendment to Section 4:

At the end of the section add the words, "nor to owners purchasing at sales of animals sold under the provisions of this act."

Adopted.

Senator Piner offered the following amendment to Section 5:

Add after the word, "jury," in line 9, the words, "and if the value of the animal or animals be less than twenty dollars, he shall be punished as for theft of property of less than twenty dollars."

Adopted.

Senator Piner offered the following amendment to Section 5:

Add to the end of the section the words, "*provided*, this act shall not apply to persons purchasing animals at the Sheriff's sales herein provided for."

Adopted.

Senator Crain offered the following amendment to Section 5:

In line 2, before the word, "purchased," insert the word, "fraudulently."

Adopted.

Senator Guy offered the following amendment to Section 5.

Strike out all after, "years," in line 7, down to the end of the section, and insert the words, "or be fined not less than one hundred dollars, nor more than one thousand dollars, in the discretion of the jury."

Lost.

Senator Storey offered the following amendment:

Amend Section 5 by inserting after the word, "act," in line 5, the words, "or after the same has been so sold and conveyed."

Adopted.

Senator Storey offered the following amendments to Section 4:

Insert in line 3, after the word, "animals," the words, "not his own."

In line 6, after the word, "animals," insert the words, "not his own."

In line 8, after the word, "less," insert the word, "than."

Adopted.

President in the chair.



Senator Edwards moved to strike out Section 5.

Lost.

Senator Francis offered the following amendment to Section 5 :

In line 7, after the word, "years," insert the words, "or publicly whipped by the Sheriff, or his deputy, by receiving thirty-nine lashes upon his bare back."

Senator Edwards moved a call of the House.

Call sustained.

Roll called.

ABSENT—Senators Stephens and Wortham—2.

On motion of Senator Grace, the call was suspended.

On motion of Senator McLeary, the consideration of the pending bill was temporarily suspended to take up the Governor's message.

Message taken up, read, and, on motion of Senator Piner, consideration of the Governor's message was postponed until 10 o'clock to-morrow morning.

EXECUTIVE OFFICE, STATE OF TEXAS, }  
AUSTIN TEXAS, June 30, 1876., }

*To the Hon. Senate of the State of Texas:*

GENTLEMEN—I respectfully ask your advice and consent to the following appointments, to-wit:

J. J. Callan, Notary, Public for Menard county.

Fred Hampe, Notary Public for Comal county.

C. A. Groos, " " " "

Chris. C. Callan, Notary Public for Gillespie county.

Julius Schuhardt, " " " "

Henry M. Holmes, Notary Public for Mason county.

John O. Meusebach, " " " "

Henry C. King, Notary Public for Kendall County.

Geo. M. Dinkle, Notary Public for Camp county.

J. G. Cridile, " " " "

Tandy W. King, " " " "

Douglas Puckett, " " " "

B. T. Humphreys, Notary Public for Upshur county.

H. C. Cunliffe, " " " "

W. S. Bailey, " " " "

G. S. Hart, " " " "

S. P. Kay, " " " "

Thos. W. Randolph, Notary Public for Grayson county.

James Paxton, " " " "

J. M. Cook, " " " "

David E. Bryant, " " " "

S. T. Fontaine, Notary Public for Grayson county.

C. L. Jordan, " " " "

A. H. Coffin, " " " "

M. R. Williams, " " " "

Henry Dugan, " " " "

S. S. Fears, " " " "

Sam Savage, " " " "

John Givens, " " " "

M. G. Bush, " " " "

G. Y. McKinney, " " " "

B. F. Barrett,	Notary Public for Grayson county.				
Coleman Watson,	"	"	"	"	"
A. T. Cooke,	"	"	"	"	"
E. H. Kinslow,	"	"	"	"	"
W. O. Davis,	Notary Public for Cooke county.				
E. A. Blanton,	"	"	"	"	"
L. W. Lee,	"	"	"	"	"
W. D. Miller,	"	"	"	"	"
J. M. Monroe,	"	"	"	"	"
John Wilkins,	"	"	"	"	"
A. C. Gray,	"	"	"	"	"
James Barrow,	"	"	"	"	"
R. F. Payne,	"	"	"	"	"
E. M. Kelly,	"	"	"	"	"
Wm. Metcalf,	"	"	"	"	"
John Wilburn,	"	"	"	"	"
Alex. Berry,	Notary Public for Collin county.				
J. M. Wilcox,	"	"	"	"	"
J. C. White,	"	"	"	"	"
T. B. Wilson,	"	"	"	"	"
James Thompson,	"	"	"	"	"
Wm. Trewett,	"	"	"	"	"
F. Emerson,	"	"	"	"	"
A. T. Robertson,	"	"	"	"	"
J. W. Bains,	"	"	"	"	"
Martin Lewis,	"	"	"	"	"
J. M. Nayler,	"	"	"	"	"
J. H. McCallon,	"	"	"	"	"
Josiah Nichols,	"	"	"	"	"
H. C. Overaker,	"	"	"	"	"
Geo. W. Cameron,	"	"	"	"	"
L. L. Scott,	"	"	"	"	"
Geo. W. Barnett,	"	"	"	"	"
F. H. Dixon,	Notary Public for Denton county.				
John Bacon,	"	"	"	"	"
W. J. Austin,	"	"	"	"	"
W. J. McNeil,	"	"	"	"	"
W. M. Davenport,	"	"	"	"	"
John Collier,	"	"	"	"	"
John L. Ruddell,	"	"	"	"	"
A. J. Nance,	"	"	"	"	"
J. W. Jagoe,	"	"	"	"	"
T. M. Yates,	"	"	"	"	"
Wm. Furneaux,	"	"	"	"	"
Stephen McReynolds,	"	"	"	"	"
James Eads,	"	"	"	"	"
P. C. Sams,	"	"	"	"	"
Ben Moss,	"	"	"	"	"
John G. Smithson,	"	"	"	"	"
H. D. Sells, instead of H. D. Sell,	} Notary Public for Orange county.				
J. T. Stark,		"	"	"	"
Royal A. Ferris,	Notary Public for Ellis county.				

R. G. Phillips,	Notary Public for Ellis county.			
J. C. S. Baird,	"	"	"	"
W. J. Stokes,	"	"	"	"
G. C. Parks,	"	"	"	"
P. R. Johnson,	"	"	"	"
Calvin Pierson,	"	"	"	"
J. D. Orr,	"	"	"	"
Elbert Newton,	"	"	"	"
J. N. Pagett,	"	"	"	"
W. G. Wyatt,	"	"	"	"
J. M. Miller,	"	"	"	"
J. C. Wilson,	"	"	"	"
S. C. McCormick,	"	"	"	"
W. T. M. Dickson,	"	"	"	"
J. Hawkins,	"	"	"	"
Thos. J. Gibson,	"	"	"	"
J. E. Ellis,	Notary public for Lamar county.			
Henry Moore,	"	"	"	"
Young Berger,	"	"	"	"
W. F. Gill,	"	"	"	"
J. P. Graham,	"	"	"	"
Nat. P. Jackson,	"	"	"	"
J. G. Dudley,	"	"	"	"
N. Mathieson,	"	"	"	"
Wm. Bonner,	"	"	"	"
Eugene Easton,	"	"	"	"
L. H. Williams,	"	"	"	"
Ed. Collins,	"	"	"	"
J. J. Wilson,	"	"	"	"
R. J. Patton,	"	"	"	"
James M. Long,	"	"	"	"
J. E. Roberts,	"	"	"	"
B. J. Baldwin, Jr.,	"	"	"	"
T. A. Geren,	"	"	"	"
E. J. Shelton,	"	"	"	"
F. D. Stewart,	Notary Public for Fannin county.			
A. B. Scarborough,	"	"	"	"
R. M. Lusk,	"	"	"	"
Francis M. German,	"	"	"	"
James C. Evans,	"	"	"	"
Sam J. Galbraith,	"	"	"	"
W. E. Dailey, Sr.,	"	"	"	"
James B. Clark,	"	"	"	"
John L. Blain,	"	"	"	"
J. R. Ryan,	"	"	"	"
Thos. D. Kennedy,	"	"	"	"
J. R. Allen,	"	"	"	"
Joseph Bradford,	"	"	"	"
J. M. Hoard,	"	"	"	"
Geo. W. Angle,	Notary Public for Anderson county.			
Benjamin Parker,	"	"	"	"
R. M. Jackson,	"	"	"	"
A. G. DuPuy,	"	"	"	"

Marsh Glenn,	Notary Public for Anderson county.
J. A. Templeton,	Notary Public for Cherokee county.
E. L. Gregg,	" " " "
F. W. Bonner,	" " " "
J. F. Templeton,	" " " "
F. R. Gilbert,	" " " "
S. A. Bloomfield,	" " " "
James M. Wiggins,	" " " "
R. J. Jennings,	Notary Public for Henderson county.
W. L. Faulk,	" " " "
B. W. Warford.	" " " "

Very Respectfully,

RICHARD COKE.

On motion of Senator Douglass, the Senate adjourned until to-morrow morning at 9 o'clock.

## SIXTY-FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, July 1, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Guy, Chairman of Committee on Contingent Expenses, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Contingent Expenses, to whom has been presented the accompanying claims for approval—one presented by William Roatz, for work done in 1870, for the sum of \$73 60, one presented by Henry Hanck, bearing date January 6, 1874, for the sum of \$7 25, and one presented by Loomis & Christian, for items bearing date as follows, beginning December 11, 1875, and running to May 1, 1876, the greater number of said items having been purchased prior to April 18, 1876, for the aggregate sum of \$51 99, have had the same under consideration, and instruct me to report the same to the Senate, and ask that they be referred to your Committee on Finance.

GUY, *Chairman.*

Report of committee adopted, and the claims referred to Committee on Finance.

Senator Hobby, Chairman of Judiciary Committee No. 1, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 184, "An Act regulating the incorporation of all cities of ten thousand inhabitants or less, and to provide for the substitution and repeal of all acts heretofore passed incorporating said cities, which may be in force by virtue of any existing charter," approved March 15, 1875, have considered the same, and I am instructed to report the accompanying bill as a substitute, and to recommend its passage.

HOBBY, *Chairman.*

The caption of the substitute is the same as the original bill.

The unfinished business, being Senate Bill No. 223, "An Act to fur-